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ENVIRONMENTAL ASSESSMENT BOARD

VOLUME: 268

DATE: Thursday, November 29, 1990

BEFORE:

A. KOVEN

Chairman

E. MARTEL

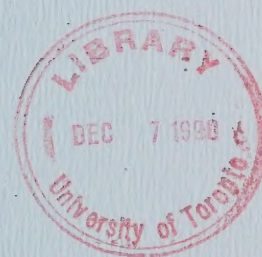
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental
Assessment for Timber Management on Crown
Lands in Ontario;

- and -

IN THE MATTER of an Order-in-Council
(O.C. 2449/87) authorizing the
Environmental Assessment Board to
administer a funding program, in
connection with the environmental
assessment hearing with respect to the
Timber Management Class
Environmental Assessment, and to
distribute funds to qualified
participants.

Hearing held at the offices of the Ontario
Highway Transport Board, Britannica Building,
151 Bloor Street West, 10th Floor, Toronto,
Ontario, on Thursday, November 29th, 1990,
commencing at 9:00 a.m.

VOLUME 268

BEFORE:

MRS. ANNE KOVEN
MR. ELIE MARTEL

Chairman
Member

A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	MINISTRY OF NATURAL
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MS. K. MURPHY)	
MR. B. CAMPBELL)	
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MR. P.R. CASSIDY)	ASSOCIATION
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I N D E X O F E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1600	The silvicultural guide for the tolarent hardwoods working Group in Ontario, dated 1990, authored by the Forest Resources Group of the Ministry of Natural Resources.	48559
1601	A silvicultural guide for the white pine and red pine working groups in Ontario, dated 1989, authored by the Forest Resources Group, the Ministry of Natural Resources.	48559

1 ---Upon commencing at 9:00 a.m.

2 MADAM CHAIR: Please be seated.

3 Mr. Hanna.

4 MR. HANNA: Good morning, Madam Chair,
5 Mr. Martel. Good morning, Dr. Payne.

6 DR. PAYNE: Good morning, Mr. Hanna.

7 MADAM CHAIR: Mr. Hanna, one thing before
8 you start. You weren't at the scoping session
9 yesterday, and Ms. Swenarchuk had some questions to ask
10 you and some advice to give you with respect to
11 questions that might be answered more usefully in
12 subsequent panels. So I would appreciate it if you
13 would get in touch with Ms. Swenarchuk concerning Panel
14 5, and I think she's trying to get a hold of you as
15 well.

16 We wanted to make one comment, Mr. Hanna.
17 You threw us into our usual state of confusion this
18 week when we received notes from you that you cannot
19 show up to cross-examine in order. And I understand
20 you were working on terms and conditions yesterday, and
21 also that you were absent from the scoping session.

22 Mr. Martel and I had a discussion about
23 this - as we do each time you participate at the
24 hearing - and I thought it might be useful for you to
25 hear the reaction the Board has to the way that you

1 scheduled your participation.

2 I've asked Mr. Martel to speak to you
3 directly because I think his comments are fairly candid
4 and will give you an appreciation of how not showing up
5 when it's your turn throws us into a bit of disarray.
6 And this has been going on and on for two years now.

7 MR. MARTEL: I must say, Mr. Hanna, I've
8 resisted the temptation earlier to say something but I,
9 quite frankly, have had it.

10 You missed yesterday, it was your turn.
11 We made a ruling many moons ago that if you weren't
12 here to take your turn - I'm not talking about you in
13 particular, anyone - that you were out for this
14 cross-examination.

15 You chose not to be here yesterday as
16 you've chosen on almost every panel that we've had to
17 either not concur with the date; not be satisfied with
18 the date; to object to something we were doing. This
19 has involved panel after panel; it has involved scoping
20 sessions; it has involved the issuance of statements of
21 issue.

22 We have had to speak to you or your party
23 for almost every panel since this hearing began. And
24 in my experience in the many areas that I've been
25 involved in, quite frankly, I have never seen anyone

1 cause as much disruption. I don't like to say this,
2 but you know, when you teach school people are there.
3 When you're in the legislature people are there when
4 they're supposed to be. When you go to the doctor,
5 you're there. We cannot get through one panel without
6 something that we're doing, doesn't suit your
7 timetable.

8 You've chose your work. I am not going to
9 comment on what you're doing outside this hearing, but
10 this hearing is set to try and expedite getting
11 through. And how you arrange your time outside of this
12 hearing, is your business. But when this hearing is on
13 and you're scheduled, then I expect you to be here, and
14 quite frankly, I'm not going to tolerate it again.

15 I don't like to talk this way, Mr. Hanna,
16 but I have never seen anyone who is as cavalier in the
17 way they deal with the people around them. I mean,
18 people have attempted to accommodate you, time after
19 time after time, and there is no end in sight.

20 Well, the end is in sight, Mr. Hanna. As
21 the former Chairman said: People who aren't here ready
22 to go and haven't got somebody to take their place, as
23 far as I'm cornered, will miss their turn.

24 I don't like to do it but I'm telling you,
25 I just can't face every time we start a new panel and a

1 new scoping session that something that we have
2 scheduled, doesn't accommodate. And I leave it at
3 that.

4 MR. HANNA: Mr. Martel, Madam Chair, I
5 would like to respond to your comments. I don't feel
6 that this is the appropriate time to respond to your
7 comments. I will provide comments to you on the
8 record.

9 And I'll simply say, at this time I
10 believe that the accusations you made are unfounded,
11 and I --

12 MR. MARTEL: Well, I'm sorry, Mr. Hanna,
13 I'm going to interrupt right there.

14 We've had three staff people working for
15 us and everyone knows - and I talked to two of them
16 yesterday - that every panel, we've had some objection.
17 You might find it unfounded, but there was nothing
18 unfounded about you're not being here yesterday for
19 your turn. Your timetable took you somewhere else, and
20 I'm not going to listen to this nonsense, we both
21 agree, my college and I.

22 And if you check the records, this theme
23 is a reoccurring theme. Now you weren't here
24 yesterday. That might be an unfounded accusation but
25 you can't deny that you weren't here, and it was your

1 turn. And you can't deny that you weren't here for
2 scoping yesterday either. And you chose not to be
3 here, not us. We've been here 268 straight days. And
4 I'm not going to listen to a lot of nonsense, quite
5 frankly, because we've heard this over, and over, and
6 over, there has always been a reason.

7 MR. HANNA: Mr. Martel, I stand by my
8 comments --

9 MR. MARTEL: Well, you can stand by them
10 whether you like it or not. I am standing by mine.

11 MR. HANNA: That's fine. I will respond
12 and I will provide a formal response to the Board in
13 the appropriate fashion.

14 I will, however, note the Board at this
15 point that I indicated to the Board's assistant that I
16 was prepared. I could not be here tomorrow --
17 yesterday, and I was prepared to relinquish my
18 opportunity to cross-examination this panel if the
19 Board so saw fit, and I was quite prepared to live by
20 that.

21 The second thing I'll say just for this at
22 the present time, that my understanding is that the
23 scoping sessions are not mandatory. And in fact, I
24 think you'll find that in the Board's procedural
25 directions, it is mandatory to submit a statement of

1 issues, it is not to attend the scoping session.

2 I provided a detailed statement of issues
3 with the very specific intent of trying to convey as
4 much as possible as I could through writing to the
5 Board. And I indicated that I would take special
6 steps - as Madam Chair indicated at the beginning of
7 the morning - in order to respond to any issues that
8 came up that should be followed up at that time.

9 Those are the comments I'll make at this
10 time and I will, however, have a more extensive
11 response to make to the Board.

12 MADAM CHAIR: Thank you, Mr. Hanna. I
13 asked Mr. Martel to speak to you directly because I
14 wanted to give you a sense of how frustrating it is for
15 the Board to constantly be unable to follow a scheduled
16 that has been set in place. And I thought that you
17 should benefit from hearing directly what that level of
18 frustration was.

19 MR. HANNA: Thank you, Madam Chair.

20 DR. ROBERT PAYNE, Resumed.

21 MADAM CHAIR: Okay.

22 CROSS-EXAMINATION BY MR. HANNA:

23 Q. Dr. Payne, I would like to first
24 review with you your experience in resource management,
25 and then move into your witness statement.

1 I'd like to look first at your curriculum
2 vitae which is Exhibit 1529. Do you have that with
3 you?

4 A. I have it in my head I think.

5 Q. Fine. Now as I understand it, you
6 received a Ph.D. from the University of Calgary in
7 1977?

8 A. That's correct.

9 Q. What was your thesis topic?

10 A. The thesis topic was: "Children's
11 Urban Landscapes in Huntington Hills, Calgary."

12 Q. And as I understand, you received
13 from the University of New England in Australia, 1973,
14 an M.A. Can you tell me what your thesis topic was for
15 that, please?

16 A. The thesis topic there was a --
17 "Decision Making Under Conditions of Environmental
18 Stress", a case study in the Hunter Valley, New South
19 Wales.

20 Q. And can you give me a little bit more
21 explanation as to the nature and scope of that thesis,
22 please?

23 A. Which one would you like me to
24 comment on, Mr. Hanna?

25 Q. The master's thesis, please.

1 A. It looked at how people respond in
2 the short-term and the long-term to the hazard of
3 flooding in a river valley that has a long and glorious
4 history of flooding.

5 Q. And what type of research was
6 involved in the preparation of that thesis?

7 A. The usual preparation, a literature
8 review that focused on the natural hazards; research
9 literature; a component of resource management, the
10 resource management literature; a questionnaire/survey
11 delivered in the field by myself to 110 residents, farm
12 and non-farm of the river valley selected from
13 assessment roles at different points in the valley.

14 Q. And the thesis involved the analysis
15 and interpretation of that questionnaire/survey?

16 A. That's right.

17 Q. Now you had a B.A. from the
18 University of Guelph in 1970. Did you prepare a thesis
19 associated with that?

20 A. Yes, I did.

21 Q. And what was that?

22 A. The thesis was on "Mobile Homes as
23 form of ---as an Alternative Form of Housing".

24 Q. Now under your work history, is it
25 fair to say that you have been involved in academic

1 institutions since you graduated with your Ph.D.?

2 A. Yes, it's fair to say that.

3 Q. All right. I would like to know what
4 operational experience you've had in applied resource
5 management?

6 A. Could you clarify for me what you
7 mean by "operational"?

8 Q. Sure. As a practitioner and someone
9 on a routine basis undertaking resource management
10 activities.

11 A. None in those kinds of context. I've
12 been a consultant to agencies that have an on-going
13 role in resource management of one sort or another.
14 Among those would be the Canadian Park Service, Parks
15 Canada. I've also worked and continue to work with the
16 Ministry of Natural Resources - most importantly I
17 suppose from the point of view this hearing in 1983 -
18 with the Owen Sound District of the Ministry.

19 That relationship has ceased but we are
20 in the process of developing a similar kind of
21 relationship with the Thunder Bay Regional Office of
22 the Ministry.

23 Q. And where would I find that work with
24 the Owen Sound District in your resume?

25 A. You would find that on page -- the

1 last page, page 10; the very last entry under
2 "technical reports".

3 Q. So this particular work had to deal
4 with --it was dealing with provincial parks, is that
5 correct?

6 A. At this particular time, the area was
7 not a provincial park, but in fact, a provincial park
8 reserve.

9 MS. BLASTORAH: I'm sorry to interrupt.
10 Could I ask Dr. Payne to speak up just slightly, I'm
11 having difficulty hearing him. Thank you.

12 Could you possibly repeat your last
13 answer, I didn't even hear it? Thank you.

14 THE WITNESS: The research that Mr. Hanna
15 is pointing out you, namely, the Pretty River Valley
16 project report focused not on a provincial park, but on
17 a provincial park reserve. That area has since been
18 designated as a provincial park.

19 MR. HANNA: Q. And your worked with
20 Thunder Bay -- the Thunder Bay Region, I take it that's
21 the northcentral region?

22 A. No, that's the Thunder Bay Region.

23 Q. And who's your contact in the Thunder
24 Bay Region?

25 A. Two contacts; one, Jim Jackson.

1 Q. Jim?

2 A. Jackson, who is the park supervisor
3 for the region. And his -- what's his proper title? I
4 think he's the regional interpretation and marketing
5 specialist. His name is Mike Jones, he's also in the
6 regional office.

7 Q. So the Thunder Bay work also has to
8 do deal with parks, does it?

9 A. Essentially, yes.

10 Q. Now in terms of the use of
11 quantitative techniques in terms of forecasting and
12 analyzing systems, what type of experience have you had
13 with that?

14 A. Can you be a little more specific?

15 Q. Okay. Much of your - well, I
16 shouldn't say much of it - but there is a significant
17 amount of your witness statement that deals values,
18 benefits, those types of things. What experience do
19 you have in using quantitative techniques to estimate
20 and predict values, benefits, et cetera?

21 A. I think a considerable degree of
22 experience in two ways. The most important way I think
23 is in terms of conceptualizing the values and benefits
24 to me. Most of the work that I've done in my academic
25 career has dealt in one way or another with that

1 conceptualization of values and benefits.

2 The quantitative side, I think is equally
3 strong. I've used a number of techniques both in my
4 undergraduate-honours project, my master's project, and
5 my Ph.D., and I've continued to use them since then.

6 Q. For example?

7 A. For Example of techniques?

8 Q. Yes.

9 A. T-tests which examines the
10 differences between means from sets of data to
11 determine whether or not those means are significantly
12 different. F-tests which do much the same thing, right
13 on through to more complex statistical techniques such
14 as factor analysis; linear regression; cluster
15 analysis, and also in the non-parametrics statistical
16 area. A statistical technique such as Commadore,
17 Smirnoff (phoen) and others.

18 Q. What you've listed for me there
19 primarily are statistical tests to determine the
20 significance between different populations, correct?

21 A. No.

22 Q. So the T-test is a test to test two
23 populations if the means are different?

24 A. That's correct.

25 Q. An F-test, is it not similar?

1 A. An F-test is rather dissimilar
2 because it tests the significance of variables in
3 techniques such as regression analysis and analysis.
4 Both of those techniques are not so much tests of
5 significance of one distribution of one variable
6 distribution to another, as they are tests of the
7 significance of one variable in a predictive way,
8 especially with respect to regression and discriminant
9 analysis.

10 Q. In the work that you've described
11 what you did for your theses, did you develop
12 predictive techniques in order to analyze the impacts
13 of alternate management scenarios? If you want to take
14 your Ph.D. thesis, I don't mind, whichever one you
15 wish.

16 A. No, in my Ph.D. thesis, I did no
17 quantitative work whatsoever. The entire thesis was
18 qualitative.

19 Q. Now in your witness statement you
20 make reference to the need for sophisticated tools and
21 for the need for cost/benefit analysis. What training
22 do you have in economics?

23 A. I have several undergraduate courses.

24 Q. Have you ever prepared a cost
25 benefit/analysis as a practitioner?

1 A. No, I haven't.

2 Q. Have you ever taught courses dealing
3 with cost/benefit analysis and other economic and
4 socio-economic analysis techniques?

5 A. Yes, I have.

6 Q. Can you tell me quick what those are,
7 please?

8 A. The course that I taught most
9 recently at Lakehead University in Outdoor Recreation
10 and Tourism Planning, I've dealt with methodologies
11 such as those as well as others.

12 I've taught those kinds of --

13 Q. Excuse me. What was the name of the
14 course?

15 A. Outdoor Recreation and Tourism
16 Planning.

17 I've used those techniques as well in
18 courses on resource management at Wilfrid Laurier
19 University when I was a professor there, in
20 predominantly recreational geography courses, and in
21 principles of resource management.

22 Q. So you're familiar with things like
23 compensation, compensating variation and that sort of
24 thing?

25 A. No, I don't understand that term as

1 you use it.

2 Q. Contingent valuation?

3 A. Hm-hmm, sure.

4 Q. You're familiar with things like
5 hedonic models, travel cost methods?

6 A. Yes, I'm familiar with travel cost
7 methods, I don't understand your term "hedonic" --

8 Q. You're not familiar with the hedonic
9 model or hedonic product model?

10 A. No, I'm not familiar with that.

11 Q. What I'd like to ask you now, Dr.

12 Payne, is I'd like to get an appreciation from you as
13 to what you see as the primary message or purpose of
14 the evidence that you've educed?

15 MR. LINDGREN: Madam Chair, that was very
16 fully and fairly disclosed during his
17 evidence-in-chief. I'm not sure it's appropriate for
18 Dr. Payne to repeat that evidence-in-chief. I mean,
19 this is a recurring theme that has occurred from time
20 to time.

21 Dr. Payne was here, he offered his
22 evidence, and at the beginning of his evidence an at
23 the end of his evidence he offered a summary. And I'm
24 not sure if it's appropriate or even necessary for Dr.
25 Payne to repeat that for Mr. Hanna's benefit.

1 MADAM CHAIR: I think, Mr. Lindgren, we
2 want to get through Mr. Hanna's cross-examination.

3 And Dr. Payne, could you take a minute or
4 two and very quickly address the two or three main
5 messages you have in your witness statement?

6 MR. HANNA: Madam Chair, perhaps I can
7 shorten this.

8 Q. Can you simply just tell me where in
9 your witness statement I'll find that message? Just a
10 page reference will do?

11 A. I don't think I can tell you that,
12 Mr. Hanna.

13 Q. Fine.

14 A. I think I would be better off trying
15 to hit the bullet on the point - so to speak - and I'd
16 be happy to do that for you.

17 Q. Fine.

18 A. I think my messages can be
19 encapsulated easily in the following:

20 One, the values - specifically non-timber
21 values - are held by people.

22 Two, the Ministry's treatment of
23 non-timber values in the EA Document and elsewhere
24 doesn't seem to give any evidence that that is
25 understood, that those values ought to be held by

1 people.

2 The values that the Ministry considers as
3 non-timber value are essentially program values; the
4 valued things seen from a particular programmed point
5 of view. That view I think comes from the functional
6 planning structure of the Ministry which emphasizes a
7 program-by-program view of the real world, rather than
8 an integrated view as is suggested by the Ministry's
9 choice of integrated resource management as a technique
10 or philosophy - depending on what you want to call it.

11 The Ministry is trying to deal with
12 non-timber values as constraints rather than as
13 objectives, and that if the Ministry is serious about
14 both doing integrated resource management as well as
15 meeting its mission statement of providing economic and
16 social benefits for Ontarians, then that clearly is not
17 enough. The nature of the planning process and to a
18 degree the nature of the bureaucratic structure of the
19 Ministry effectively put barriers in place that prevent
20 integrated resource management from being achieved. I
21 think those are the main points of my evidence.

22 Q. All right. I have those as I think
23 four, but there may be five -- a fifth point there.

24 A. Right.

25 Q. What I have in that list is certainly

1 what I call "high-level type issues", the values that
2 are held by people type of issues. And then I have
3 what I'll call "lower-level issues" such as the need to
4 have objectives rather than constraints.

5 Now what I'm interested in knowing -
6 going down each one of these - is what it is you'd like
7 to see happen in the terms of the decision of this
8 Board, and a change in the timber management planning
9 process to address each one of the messages that you've
10 brought forward.

11 A. Well, I can't agree with you, Mr.
12 Hanna, that those are low level as opposed to high
13 level, to me, which is why I gave you the summary I
14 did -- those are a part of same piece.

15 Q. I didn't in any way suggest in terms
16 of priorities, it was more in terms of the - let's
17 say - one being dealing of a broad way and one dealing
18 in a specific way. It was more in that terms, not in
19 terms of priority that I was saying high and low.

20 A. I don't agree with even that.

21 Q. Well, fine. Then don't agree with
22 it, let's deal with each one individually.

23 A. Okay.

24 Q. You said that one of your messages is
25 that you wanted to ensure that the Board was aware that

1 values were something that was held by people.

2 What is the implication of that in terms
3 of timber management planning in this province?

4 A. The implications I think are quite
5 clear, that if the Ministry is to meet its stated
6 mission; namely, the mission to contribute an optimum
7 mix of social and economic benefits for the people of
8 Ontario, it's necessary to understand what people value
9 in the natural environment and what people want from
10 the natural environment.

11 And that can only be done if the Ministry
12 has the capability and specifically the social science
13 capability to find that out from people. And it can
14 only be done if the Ministry is prepared to ensure that
15 it is prepared to integrate across program areas, the
16 kind of information that is made available through such
17 social surveys.

18 Q. So one of the actions that you would
19 like to see this Board take then would be to require
20 the Ministry to employ social scientists? Is that one
21 of the things that you'd like to see happen?

22 A. Yes, I think that would be a good
23 step.

24 MADAM CHAIR: Excuse me, Mr. Hanna.

25 We have Dr. Payne's evidence that he

1 proposes the Ministry hire social scientists at the
2 main office for the purpose of collecting and making
3 the data useable, and that there also be social
4 scientists at the regional level. And that's the
5 evidence we have.

6 MR. HANNA: Q. Can you indicate to me
7 where that is set out in the terms and conditions of
8 FFT?

9 A. At the moment I can't. Perhaps Mr.
10 Lindgren can.

11 MR. LINDGREN: That's something I'd be
12 more than pleased to do for Mr. Hanna, but I'm not
13 going to get it right now. I will advise him at the
14 break.

15 MR. HANNA: Fine.

16 MADAM CHAIR: That is a term and
17 condition of Forests for Tomorrow?

18 MR. LINDGREN; That's the subject of a
19 term and condition, that's correct.

20 MS. BLASTORAH: Just if I can comment,
21 Mrs. Koven, I'd be interested in the answer to that as
22 well. I gather Mr. Lindgren is going to do it outside
23 the hearing. And that's all.

24 MR. LINDGREN: Anybody who wants to find
25 out is welcome to join our discussion.

1 MS. BLASTORAH: Thank you.

2 MR. HANNA: Q. Now the second part of
3 the matter was to find out what people wanted. I think
4 that was your term, wasn't it?

5 A. Yes, I think that's about the phrase
6 I used.

7 Q. How do you propose to deal with that?

8 A. How do I propose to deal with that?
9 I propose to ask them.

10 Q. And has that been incorporated in the
11 FFT terms and conditions?

12 A. I propose to ask Mr. Lindgren about
13 that.

14 MR. LINDGREN: I think that's subsumed
15 within my previous undertaking.

16 MR. HANNA: Q. Now the second point that
17 you made was that the MNR looks at values in terms of
18 non-timber values from a different point of view than
19 you would like to see them look at it from. Is that
20 correct?

21 A. That's correct.

22 Q. How is it that they should look at
23 non-timber values as opposed to how it's being done at
24 the present time?

25 A. They should look at non-timber values

1 by finding out how people value the natural environment
2 in general, and how people value specific features,
3 perhaps species, perhaps communities which exist in the
4 natural environment.

5 Q. And if you were in the Ministry and
6 had authority to follow-up on that, what would you do
7 to deal with that concern?

8 A. I would begin to make available some
9 of the information that currently is available in the
10 Ministry. The Ministry has - or at least one branch of
11 the Ministry - has access to the Canadian Wildlife
12 Service Information Data Sets, both 1982 and 1987
13 versions. And as I indicated yesterday, I think those
14 two data sets - being as large as they are for the
15 province - are very good powerful sources of
16 information.

17 I think that they ought to be looked at
18 as quickly and as thoroughly as possible in order to
19 find out just what can be learned from them, and in
20 order to identify gaps that may be forthcoming from
21 that analysis of those data sets, to begin the process
22 of trying to collect other information to fill those
23 gaps.

24 Q. Are you suggesting then that to the
25 best of your information is at the present time that

1 the Ministry has done no analysis of that data set?

2 A. No, I don't think that's the case. I
3 think it is the case though that whenever analysis has
4 occurred it has not been shared with the other program
5 areas to the extent that it should have been or it
6 should be if integrated resource management is
7 effectively to occur.

8 Q. And I want to understand specifically
9 how that would manifest itself if I was sitting in --
10 you've used Red Lake as an example. Let's say I was
11 sitting in Red Lake preparing the forest management
12 plan for Red Lake, how would you expect to see that
13 manifested during the preparation of that timber
14 management plan?

15 A. It's certainly a good question and
16 the kind of question that other agencies which have
17 embarked upon a program to use social science
18 information have run into the same difficulty.

19 It's one thing to collect the
20 information, it's quite another to make it useable
21 especially useable for those people who are on the
22 ground that are required to somehow make sense of it
23 and use it in their actual resource management
24 activities.

25 It's for this reason that yesterday I

1 told the Board that in addition to social scientists
2 being at head office who would not only collect and
3 analyze the data, but also begin to make it useable for
4 those further down the administrative line, but there
5 also should be social scientists - or at least one
6 social scientist, I think I said - that would be at the
7 regional level to provide support for the use of that
8 data at the district level.

9 Q. Well, I understand, and we've already
10 covered the matter that you want to have social
11 scientists in the regions -- you said the districts
12 also?

13 A. No, I didn't say the districts.

14 Q. Just in the regions. Okay. I
15 understand that there's a manpower issue, but I'm still
16 interested in the information to be conveyed. Assuming
17 that that system is in place, what is the information
18 that would be conveyed?

19 A. Well, yesterday I showed the Board
20 how the 1982 CWS data could be -- for Ontario could be
21 grouped into market segments. And those market
22 segments in my analysis numbered five. And I went on
23 to show that those market segments had particular
24 social, economic and demographic characteristics. And
25 it was part of my evidence yesterday to indicate that

1 once it's possible to identify those market segments,
2 it is then -- even from the CWS information to identify
3 what those market segments actually do in terms of
4 participation.

5 Now, once that's done, it's possible to -
6 again, using the same data set - identify what sorts of
7 expenditures those individuals have made in taking part
8 in the activities that they do. And Once that's done,
9 it's possible to begin talking about benefits that
10 begin to be amenable to cost/benefit analysis.

11 I think the role of a head office social
12 scientist and that indeed a regional office social
13 scientist would be to - in the case of the head office
14 people - to do this analysis right down to this level,
15 and to indicate to people in the region and in the
16 field that these target groups exist. It would then be
17 up to the people in the field to determine to what
18 extent the target groups existed in their particular
19 field of operation in their district.

20 Q. Well, let's deal with the Red Lake
21 Forest Management Unit. What's the sample size of the
22 CWS survey in Ontario?

23 A. For Ontario, it's 14,743, I believe,
24 in 1982.

25 Q. So what would you expect to be a

1 reasonable proportion of that sample to lie within the
2 area of Red Lake?

3 A. I don't even know if one does, but
4 that's not what I'm suggesting. Quite clearly here,
5 what we need to do is to get an overall province-wide
6 understanding of the target groups. And as I said to
7 the Board yesterday, after that, it's important to have
8 them place a kind of structure of public participation
9 if you like, at the local level made of stakeholders
10 who would, I think, bring a local reality to the
11 broader social science information available at the
12 provincial level.

13 I think by coming at the issue in that
14 pincer-like way, you end up getting closer to
15 identifying the actual groups that are relevant in an
16 area such as the Red Lake District.

17 Q. You see, what I'm having trouble with
18 this is this, Dr. Payne: We have a province-wide
19 survey; we can obtain five market segments as you've
20 described in your analysis of that data; and we can
21 provide a general profile perhaps for those five market
22 segments for the province.

23 But there still seems to be a gap there
24 between that province analysis -- provincial analysis
25 and the decisions being made in a place like Red lake.

1 And that's what I'm trying to understand; how you would
2 bridge that gap.

3 A. You're quite right that there is a
4 gap and that's what makes the use of social science --
5 the use as opposed to the collection of science, such a
6 big part of that particular issue.

7 I think that the gap can be overcome by
8 this pincer approach I'm describing because you're
9 going to find people in the Red Lake district who fit
10 into - so to speak, but not statistically - but fit
11 into one or perhaps more of these particular target
12 groups. And what those individuals are going to do
13 through interaction with the planning team or perhaps
14 through actual presence on the planning team, is to
15 fine-tune their concerns about the valuations they have
16 of the natural environment.

17 Clearly, when we talk about the
18 provincial level - a kind of five-segment groups - that
19 information is much more useful for strategic planning
20 than one would hope, that such strategic directions
21 once set at the provincial level, would find some
22 expression at the local level.

23 MADAM CHAIR: Mr. Hanna, I don't know if
24 this helpful, but Dr. Payne made a statement yesterday
25 to the effect that the interests of local residents

1 that giving priority to the local interests in an area
2 was something that he was as being - I think he used
3 the words "moral and just" - that he saw a certain
4 accommodation of local interests were required given
5 the context of policy and provincial level information
6 that he is discussing.

7 MR. HANNA: Yes, I understand that.

8 Q. And I understood that from your
9 witness statement that you saw a role for the local
10 people to play an important role in that process.

11 What I'm trying to understand, Dr. Payne,
12 is this: that we have social scientists in head office
13 and we have social scientists in region. I am trying
14 to understand what has to be put in place in terms of a
15 planning process to ensure that whatever information
16 that you as an expert say, should be made available at
17 that local level; what that information should be; how
18 it should be input to the decision-making process; and
19 how it should be dealt with once it's there?

20 MR. COSMAN: Madam Chair, with respect to
21 Mr. Hanna's questions - and I realize he wasn't here
22 yesterday - the witness can answer as to what he feels
23 should be part of an overall system, but the witness
24 hasn't been qualified as an expert on timber management
25 planning. And it's unfair to the witness -- that it

1 would be inappropriate for this witness to give
2 evidence to what would be an appropriate timber
3 management planning process, he has not the
4 qualifications to do so.

5 But he can testify as to the kinds of
6 things he would like to see overall in a general
7 resource management perspective in a system.

8 MR. HANNA: I will accept Mr. Cosman's
9 view.

10 MADAM CHAIR: I think you can get the
11 information you want even with Mr. Cosman's objection,
12 Mr. Hanna.

13 You're asking Dr. Payne how the managers
14 at the district level would incorporate social science
15 information in a timber management plan?

16 MR. HANNA: I'm asking Dr. Payne, as a
17 social scientist, what that information is that he sees
18 should be conveyed to the local level, and then how it
19 should be used to deal with the social science issues
20 that I believe that he's address.

21 But I accept also what Mr. Cosman is
22 saying, and perhaps I'll leave it at the regional level
23 and not take it beyond that.

24 Q. Now the third point, Dr. Payne, that
25 you mentioned was the fact that the Ministry dealt with

1 non-timber values as programmed values as opposed to
2 looking at it in an integrated way.

3 A. That's correct.

4 Q. What changes, others than the one
5 you've already described to me, are necessary to
6 overcome that problem?

7 A. I think that the Ministry has to be
8 capable of operating more in a matrix kind of way than
9 it currently does.

10 The CRESAP report which we talked about
11 yesterday, indicated that the Ministry still - in spite
12 of it's claims to being able to do integrated resource
13 management - still does, in fact, do essentially
14 functional farming down each particular program line;
15 wildlife, fisheries, and parks, and forestry.

16 I think that that structural aspect is
17 going to have change in the Ministry. I also think
18 that the Ministry is going to have to accept that it
19 will be necessary to adapt some sort of sophisticated
20 cost/benefit analysis if integrated resource management
21 of a sort they talk about is actually going to occur.

22 And I suggested yesterday that it may, in
23 fact, be necessary for a new Forest Management Act
24 which requires the Ministry to put in place this sort
25 of structure and these sorts of processes if integrated

1 resource management is going to occur.

2 Certainly, the experience of the U.S.
3 Forest Service in the U.S. has seemed to require the
4 1976 National Forest Management Act to get that agency
5 operating in the way that it currently does. And that
6 operation I think is much, much closer to integrated
7 resource management as we would like to see it than the
8 current operation in the Ministry of Natural Resources.

9 MR. MARTEL: Are you suggesting that the
10 Ministry will have to put less emphasis on lumber and
11 adopt a more balanced approach to all the other values
12 that are there, and then integrate them from that point
13 of view?

14 THE WITNESS: Yes, I certainly am
15 suggesting that. I think the sort of sophisticated
16 cost/benefit analysis I'm talking about here starts
17 with a clean slate, and then begins to sort of weigh
18 one set of benefits against set of benefits so that
19 it's possible to come up with an optimum mix -- optimum
20 in the same sense that I used yesterday.

21 This is met in the U.S. for example that
22 some national forests now have abandoned timber
23 management entirely, because it was found that timber
24 management in -- after cost/benefit analysis was done,
25 simply ended up in the red.

1 The paper by Robert Wapeto (phoen) in the
2 source books, give some substance to that in his
3 reference to Colorado. This of course, is in the west
4 and the kind of forest that's relatively expensive to
5 cut. But they found there that other forms of
6 benefits, or other forms of activities yield to the
7 better mix of benefits and they just lack timber.

8 So I think we are talking here - or at
9 least I'm talking about here a clean slate - and then
10 it amounts to attempt to balance different uses in
11 relation to different values to achieve those benefits
12 at the other end of the day.

13 MR. HANNA: Q. So dealing with the first
14 matter, and that's the program structure of the
15 Ministry -- I gather basically to overcome that is a
16 reorganization of the Ministry. Is that what's implied
17 in what you're saying?

18 A. Yes, I think that's the implication,
19 and I think that too is the implication that CRESAP
20 drew from the work contracted by the Ministry.

21 CRESAP, I think suggests flattening the
22 Ministry which is to cut out some of the administrative
23 layers because the Ministry is very slow according to
-24 CRESAP - and I think that I would agree - to respond to
25 the change. That seems to imply a restructuring.

1 Q. All right. Can we now deal with the
2 constraints versus objectives issue?

3 As you are probably aware my client also
4 is supportive of the use of objectives rather than
5 constraints in timber management plans--

6 A. Yes.

7 Q. --we're also supportive of the use of
8 objectives in timber management plans for non-timber
9 values. And we're strongly of the view that if you're
10 going to put an objective in a plan, it should be a
11 quantitative objective. Is that consistent with your
12 view?

13 A. Yes and no. I think some of the
14 values that are in my evidence do, in fact, lend
15 themselves easily in some cases to quantitative
16 expression.

17 Recreation values for example, can and
18 have been expressed by agencies similar to MNR in
19 economic terms, and, of course, they do fit that into
20 the kinds of frameworks that we're talk about here.

21 But other values such as those that I
22 classified as predominantly nonutilitarian, don't fit
23 nearly as well into a quantitative kind of framework.
24 And I've suggested that those particular sorts of
25 values ought to be embedded in forest policy and in

1 Crown land policy or Crown land management policy where
2 they would provide a considerable degree of guidance.

3 I think too, that those sorts of values
4 that are not particularly amenable to quantification
5 fit into this, a more sophisticated cost/benefit
6 analysis approach that I spoke about yesterday and
7 earlier this morning.

8 MADAM CHAIR: Excuse me, Dr. Payne. I
9 don't want to interrupt, Mr. Hanna.

10 I have one question about the
11 cost/benefit analysis, and does it -- cost/benefit
12 analysis would have a different outcome one would
13 assume when using the United States, than used in
14 Canada, and that's because the population is so much
15 larger?

16 And when you're looking at economic
17 outcomes of use by large populations, you're going to
18 get a different outcome than you are in Canada. And
19 that's a factor that's taken into account in
20 cost/benefit analysis--

21 THE WITNESS: Yes.

22 MADAM CHAIR: --when applied to a smaller
23 population?

24 THE WITNESS: Yes. It certainly is,
25 Madam Chair

1 The methodology that I talked about
2 yesterday, the recreation opportunity spectrum, brings
3 in the demand side for the sorts of activities that may
4 be provided by a national forest quite well. And, of
5 course, that deals with numbers of people. It may well
6 be depending on where you are in the United States that
7 those numbers of people are quite high in comparison to
8 what they would be in the area of undertaking.

9 But in parts of the west, in Utah
10 perhaps, and in Colorado, and perhaps Arizona, I would
11 suspect that those numbers would probably be, in fact,
12 lower than the sorts of numbers we would achieve in the
13 parts of the undertaking; perhaps in the more southerly
14 parts of the undertaking.

15 So the numbers fit in. But you're quite
16 right in terms of the overall size of the population
17 bundle, we would perhaps be a little bit light.

18 MADAM CHAIR: Yes. I'm not sure if it
19 would ever support an economic analysis based on the
20 user considerations that are so prevalent in the United
21 States analyses.

22 THE WITNESS: It would be an interesting
23 experiment to try it and see what would happen.

24 MR. LINDGREN: Madam Chair, I might
25 suggest that it might be an appropriate question to put

1 our Panel 7 witnesses as well as.

2 MR. HANNA: Q. I wasn't sure whether I
3 got this right or not, Dr. Payne. Perhaps you can
4 correct me if I'm wrong.

5 Did I hear you say that with a more
6 sophisticated and comprehensive cost/benefit analysis,
7 that would allow some of the -- or all of the
8 nonutilitarian values to be captured in the analysis?

9 A. It would certainly give them an
10 opportunity to come into the analysis, and especially
11 if they were supported by forest policy that
12 incorporated -- well, I suggested yesterday the three
13 principles of the World Conservation Strategy would be
14 good ones.

15 Q. The gap in my I understanding of what
16 your saying seems to be this, and that is: Dean
17 Baskerville has come before this Board, and has written
18 on many other occasions about the need to have
19 performance measures for management, and that those
20 performance measures have to be measurable so that you
21 can monitor progress.

22 And the difficulty that I have -- the
23 policy or something that's not in terms that I can
24 directly measure and monitor on the ground, is trying
25 to determine what progress is being made. And that's

1 the problem I have with putting things in policy if
2 there isn't a corresponding specific measure on the
3 ground that it can be monitored by external monitors as
4 to progress.

5 Now, how do you see dealing with your
6 nonutilitarian values that you've put in policy in a
7 way that it can be, if you will, field checked?

8 A. Yes, I certainly appreciate your
9 problem here, Mr. Hanna. I have the same problem and
10 many social scientists who have worked in the natural
11 resources field, of course, have encounter the same
12 thing.

13 Even where there are well-established
14 methods to try and translate values such as
15 recreational values into economic terms, the
16 travel-cost method for example or the contingent
17 valuation, there's always the nagging doubt that it's
18 not the same sort of determination that you would get
19 if, in fact, this could be done by the market somehow.

20 Even those which are fairly sophisticated
21 and have certainly been the subject of a good long bit
22 of work by social scientists, are not even to the
23 social scientists who have done the work particularly
24 satisfactory.

25 And the source books, the paper by Sorg

1 and Peterson addresses some of these issues in
2 considerable detail and really is, I think, a report
3 that takes a reader up to the state-of-the-art as far
4 as those particular methods are cornered.

5 Some of the other values that I talked
6 about, the symbolic value for example or aesthetic
7 value, they are virtually qualitative kinds of values
8 in the sense that they don't lend themselves well at
9 all to quantitative expression.

10 But it is possible to find out how people
11 feel about these particular values. And while one may
12 not be able to get a quantitative expression of the
13 values themselves, it is possible to count up the
14 people who feel that way.

15 The aesthetic dimension, the aesthetic
16 value is being treated fairly sophisticatedly by the
17 U.S. Forest Service now.

18 At a conference in Texas in 1990, the
19 Social Science and Resource Management Conference, I
20 was treated to a fascinating display by a chap from the
21 forest service who had developed a simulation
22 technique - a computer simulation technique - whereby
23 he could bring up onto the computer screen a cut area.
24 And he could then ask people directly on the computer
25 how they felt about that, and the people could then

1 immediately enter their response. And he could put up
2 a different form of cut and ask people they felt about
3 that, and they could respond to it.

4 And so what the forest service is able to
5 do with this technique which is perhaps a bit clunky -
6 after all you have to carry all of this computer
7 equipment around - but what they're able to do is to
8 get people's preferences for different forms of cut,
9 and specifically in relation to that aesthetic value.

10 So you can get preference information
11 about people and that is quantitative in that it counts
12 up people, and it's in relation to a particular
13 variable. So there are some things that you can do
14 that perhaps are not as directly related to dollars in
15 an economic sense to quantify things.

16 But there are values that are simply too
17 intangible to really express any kind of quantitative
18 way. I don't think that makes them unimportant, I
19 think it makes them difficult.

20 Q. To answer my question though, how do
21 we monitor performance in terms of timber management
22 activities and their sensitivity or responsiveness to
23 those values?

24 A. I think we have to measure that kind
25 of performance in relation to the Ministry's mission

1 statement, which is to provide a mix of social and
2 economic benefits to the people of the province. That
3 to me has to be the bottom line.. If that's not being
4 done, then the Ministry is not doing its job.

5 Q. Was it fair to say then that you are
6 of the view that to the greatest extent possible that
7 the non-timber values should be expressed in
8 quantitative terms?

9 A. Yes, I think that's fair because of
10 my insistence that we want to contribute the greatest
11 amount or the best amount of social and economic
12 benefit to the province. Yes, I think that's fair.

13 Q. And that that is one way to make the
14 system as transparent and traceable as one can hope?

15 A. I don't think I would go that far.

16 Q. All right. Why not?

17 A. I still think that there is a
18 requirement for a far more open decision-making
19 process. I think that the possibilities of a more
20 technical determination of cost/benefit analysis may
21 help to do that. But I think that if people are
22 involved in timber management planning through the
23 entire process from the goals and objective setting
24 through the consideration of alternatives to the
25 selection of alternative plans, or to the selection of

1 the plan through to the monitoring of the plan, then
2 the process is transparent, indeed.

3 Q. Dr. Payne, I went through an exercise
4 and maybe you can help me sort it out.

5 What I attempted to do was to take all
6 the different terms that you had used in your witness
7 statement dealing with values, benefits and cost, and
8 try to display them and make some connection among them
9 all.

10 Maybe I can just go through them and you
11 can help me in terms of understanding them. I had
12 value, benefit and costs as being on one level, is that
13 fair?

14 A. I think you're missing one, you're
15 missing activity.

16 Q. I had activity but I had it at a
17 different level. Okay. So I'll put activity on that
18 level. All right.

19 Can you tell me how value, activity,
20 benefit and costs interact -- and I emphasize to you
21 the reason I'm asking this question isn't to, let's
22 say, to expand my knowledge of social science, but it's
23 -- to understand how these terms have meaning in terms of
24 timber management and the types of issues that we're
25 faced to deal with here?

1 A. I'm not sure I understand your
2 question, Mr. Hanna. I was about to set off on a
3 glorious expedition that connected values, activities,
4 and benefits, much I did yesterday. But your last
5 qualifier there kind of gave me pause, and I'm not sure
6 if that's the right way to go.

7 Q. I don't want you to go off on a
8 glorious expedition. I think that the expedition is in
9 your witness statement also. I'm trying to bring this
10 down to something that will affect timber management
11 planning decisions.

12 A. Well, I certainly agree with that
13 objective.

14 Q. So I'm trying to see, how do I look
15 at values, activities, benefits and costs -- and then I
16 start putting tangible and intangible, and I put
17 utilitarian and nonutilitarian in...

18 I'm trying to take that morass of terms,
19 put it into something that's in an organized way; has
20 meaning in terms of timber management planning.

21 Can you help me on that? I can list you
22 all of the terms. I'm just trying to see how, from a
23 practical point of view.

24 A. I would certainly be happy to help
25 you, but I think you need to ask me a question, and

1 then I'll be happy to answer it.

2 Q. Yes. Okay. You have values,
3 activities, benefits and cost, what is their
4 relationship to decisions that have to be made in a
5 timber management plan?

6 A. What is their relationship to...
7 Well, I've indicated that the values part, whether it's
8 timber value or non-timber value, are held by people
9 about the natural environment.

10 Q. I understand what they are, I think.

11 A. I've also suggested to the Board that
12 there is a relationship between the values people hold
13 and how they behave or what activities they participate
14 in.

15 Q. So is it fair then to say that if you
16 knew people's values, you could predict their behavior?

17 A. That's the social science theory
18 behind it, yes.

19 Q. And so that you could use the values
20 as a basis to estimate demand?

21 A. You could do that. Yes, you could.

22 Q. Is that where you're taking us?

23 A. No, not yet.

24 Q. But is that the importance of these
25 terms in terms of making these decisions?

1 A. That's one importance of the value
2 dimension in making decisions about timber, yes.

3 Q. Okay. Now is the relationship
4 between values and activities in that same context?

5 A. Yes, it is.

6 Q. I didn't think that was the answer
7 that I wanted. The same type of explanation in terms
8 of the relationship of activities in that context, what
9 is the relationship of activities?

10 You've told me values -- if we had values
11 I can predict behaviour because, therefore, I know what
12 people are likely to do. And if I can predict
13 behaviour, I can predict demand.

14 A. Yeah. Okay.

15 Q. So that's clear to me. Now what
16 activities, how do they fit in that spectrum?

17 A. Activities were clearly what people
18 do, and the economic values as we've seen in both
19 timber and recreation, can be translated into a
20 benefit/cost analysis.

21 Q. So is it fair then to say the
22 activities are an expression of demand?

23 A. Yes, it's fair to say that.

24 Q. And benefit is the value of the
25 activity?

1 A. No, benefit is the thing that you or
2 I, or the economy gets out of the activity. Benefit is
3 the change produced by the activity.

4 MR. HANNA: Madam Chair, those are my
5 questions.

6 Thank you, Dr. Payne.

7 --- (Witness withdraws)

8 MADAM CHAIR: Thank you very much, Mr.
9 Hanna. Was there anything else?

10 MR. HANNA: Madam Chair, I will be
11 distributing the Ontario Federation of Anglers and
12 Hunters terms and conditions at the break.

13 MADAM CHAIR: Thank you very much.

14 Before we adjourn Mr. Hanna, could I make
15 this an exhibit?

16 We've received from the Ministry of
17 Natural Resources two silvicultural guides, and I don't
18 know if the parties have copies of these or not. One
19 is for the white pine and red pine working groups. And
20 the other is for the tolerant hardwoods working group.

21 Shall we give them separate exhibit
22 number?

23 MS. BLASTORAH: Yes, that's fine Mrs.
24 Koven. I haven't been into the office yet this
25 morning, so I wasn't aware of those.

1 MADAM CHAIR: I think they showed up
2 yesterday, and before I forget I want to get them in
3 the record.

4 MS. SEABORN: I've received those, Madam
5 Chair, in my office. I'm wondering whether the
6 draft -- I don't have my exhibit list with me but some
7 of the silvicultural guides were filed earlier in the
8 hearing were drafts from some of the working groups,
9 and I don't know whether it applies to these two
10 working groups or not.

11 MADAM CHAIR: Yes. On the exhibit list,
12 if they are in draft form already, we'll make a
13 cross-reference and give these separate exhibit numbers
14 anyway.

15 MS. SEABORN: Thank you, I'll check my
16 records, in any event.

17 MADAM CHAIR: Thank you.

18 Exhibit 1600, will be the silvicultural
19 guide for the tolerant hardwoods working Group in
20 Ontario. And this is dated 1990, authored by the
21 Forest Resources Group of the Ministry of Natural
22 Resources.

23 And Exhibit 1601, will be a silvicultural
24 guide for the white pine and red pine working groups in
25 Ontario, dated 1989, authored by the Forest Resources

1 Group, the Ministry of Natural Resources.

2 ---EXHIBIT NO. 1600: The silvicultural guide for the
3 tolerant hardwoods working Group
4 in Ontario, dated 1990, authored
5 by the Forest Resources Group of
6 the Ministry of Natural
7 Resources.

8 ---EXHIBIT NO. 1601: A silvicultural guide for the
9 white pine and red pine working
10 groups in Ontario, dated 1989,
11 authored by the Forest Resources
12 Group, the Ministry of Natural
13 Resources.

14 MADAM CHAIR: Mr. Cosman, are you
15 prepared to begin this morning?

16 MR. COSMAN: I'm actually quite taken by
17 surprise, Madam Chair. I have arrangements to meet
18 with my advisors, I don't have my materials with me. I
19 thought we would have this morning with -- that we
20 would be starting first thing on Tuesday. If there was
21 any possibility of this happening, I would have been
22 prepared.

23 At the risk of having Mr. Martel tear a
24 strip off me, unfortunately, I am not this morning.
25 But as you know I usually am as soon as someone is
finished, but I understand that the full morning would
be taken, and when I spoke with Mr. Hanna --

MR. HANNA: Madam Chair, I think I should
offer my apologies to Mr. Cosman, I did have a longer
cross-examination.

1 I can tell you that I did not feel that
2 the cross-examination was fruitful; I didn't feel it
3 was going to be useful to the Board, and I
4 intentionally terminated it.

5 I apologize to Mr. Cosman. I had
6 indicated to him that I'd probably take the entire
7 morning, but I didn't feel that it was in the interest
8 of the Board to continue, and that's the reason I
9 thought to terminate it.

10 MADAM CHAIR: No apologies are required,
11 Mr. Hanna. The Board is very appreciative that you
12 have streamlined your cross-examination, and we commend
13 you for it. And we --

14 MR. COSMAN: I would be ready to go first
15 thing on Tuesday, I will be a half day at the most.

16 MADAM CHAIR: All right. Thank you, Mr.
17 Cosman.

18 I think this is just a warning to all
19 counsel at the hearing that you simply have to be
20 ready. The Board is encouraging very much short,
21 tight, cross-examinations, and the next person in line
22 has to be ready to go. So prepare yourselves to go a
23 day earlier rather than the day that you think it might
24 show up.

25 MS. SEABORN: And Madam Chair, I'll be

1 ready to proceed as soon as Mr. Cosman is finished. If
2 Mr. Cosman finishes at noon, I certainly won't take the
3 whole afternoon, just so that Ms. Blastorah is aware of
4 it. I expect she will commence on Tuesday still.

5 MS. BLASTORAH: I was assuming that I
6 would commence after the afternoon break, if not
7 before. And just to keep things rolling along, I
8 should advise that I may be less time than I
9 anticipated. I'm certainly working towards
10 streamlining my cross-examination. There is a
11 possibility - depending on what I get started - that we
12 might even finish Tuesday.

13 MADAM CHAIR: All right. Dr. Payne you
14 might have a short week. Will you be very long in
15 re-examination, Mr. Lindgren?

16 MR. LINDGREN: I don't anticipate it
17 being long.

18 MADAM CHAIR: All right. Then it may be
19 a very short week, indeed.

20 MR. COSMAN: Madam Chair, should we
21 prepare to have our consultants available, because if
22 we finish on Tuesday or early Wednesday morning with
23 Panel 5 --

24 MADAM CHAIR: To begin --

25 MR. LINDGREN: Unfortunately, I think Mr.

1 Benson went back to Thunder Bay believing he's coming
2 back the following Monday, so unfortunately --

3 MR. MARTEL: Well, he has a board meeting
4 doesn't he, in Oslo next week?

5 MR. LINDGREN: That's correct.

6 MADAM CHAIR: We had scheduled -- as all
7 the parties, the Board really does try to go out of its
8 way, and I think that as each of you begin to present
9 your case, you realize that we make very accommodation
10 we can for witnesses.

11 And Mr. Hanna and Dr. Quinney will see
12 that as the situation as well. We try to really bend
13 over backwards to accommodate the schedules of the
14 witnesses who appear before us. Obviously we're less
15 tolerant of doing that the for the people who represent
16 the various parties. But we believe we simply have to
17 be flexible and do everything we can to accommodate the
18 witnesses.

19 MR LINDGREN: It's much appreciated,
20 Madam Chair.

21 MADAM CHAIR: Which means that next week
22 you might -- the Board is directing you to get in touch
23 with Professor Benson again. And if there's any
24 possibility he could be here Wednesday, then we would
25 ask him to do that. If there isn't, simply inform the

1 Board--

2 MR. LINDGREN: I'll undertake to do that,
3 Madam Chair.

4 MADAM CHAIR: --as soon as you can.

5 And Mr. Hanna, for your convenience
6 because you are interested in cross-examining Panel 5
7 of Forests for Tomorrow's case--

8 MR. HANNA: Yes, Madam Chair.

9 MADAM CHAIR: --there were some changes
10 in scheduling last night and you should know the dates.

11 MS. BLASTORAH: If I can assist you,
12 Madam Chair.

13 MADAM CHAIR: Thank you, Ms. Blastorah, I
14 can't read calendars.

15 MS. BLASTORAH: The due date for the
16 statement of issues for Panel 6 was on January 9th; the
17 scoping for that panel was to be January 14th; the
18 statement of issues for Panel 7 is due, January 14th;
19 and the scoping was to be on January 16th for Panel 7.

20 MADAM CHAIR: That's right. It's our
21 expectation that Mr. Benson will be beginning his
22 examination-in-chief a week Monday, in which case he
23 would only be - what did we say Mr. Lindgren - two days
24 before Christmas--

25 MR. LINDGREN: That's correct.

1 MADAM CHAIR: --the Monday and the
2 Tuesday. And the Wednesday and the Thursday, Mr.
3 Lindgren is bringing in Dr. Ross --

4 MR. LINDGREN: Henderson.

5 MADAM CHAIR: --Henderson from Winnipeg,
6 for the 12th and the 13th. And we'll start our
7 Christmas break on the 13th.

8 MR. HANNA: So then, Madam Chair, is it
9 your intentions for my cross-examination to begin the
10 first of the year?

11 MADAM CHAIR: Ms. Swenarchuk is
12 uncertain, she thinks she will be at least three days
13 in examination-in-chief of Professor Benson.

14 MR. HANNA: All I'm really asking is, are
15 you expecting the cross-examination --

16 MADAM CHAIR: To begin some time the week
17 of January the 7th.

18 MR. HANNA: That's good. Yes, thank you.

19 MS. SEABORN: I believe, Madam Chair, Mr.
20 Oliver was coming on January 7th according to his
21 schedule.

22 MADAM CHAIR: Another problem --

23 MR. HANNA: All I'm really asking is the
24 new week --

25 MADAM CHAIR: Sometime the week of the

1 January 7th, Mr. Hanna.

2 MR. HANNA: Thank you.

3 MADAM CHAIR: Yes, definitely not before
4 Christmas.

5 MS. BLASTORAH: And I assume that Mr.
6 Lindgren will let the other counsel about Dr. Benson's
7 availability.

8 MR. LINDGREN: Absolutely.

9 MADAM CHAIR: Yes.

10 MS. BLASTORAH: Thank you very much.

11 MADAM CHAIR: And If there are no other
12 questions, then the Board will adjourn and we will be
13 back Tuesday morning at 9 o'clock.

14 ---Whereupon the hearing was adjourned 10:15 a.m.,
15 to be reconvened on Tuesday, December 4th, 1990,
commencing at 9:00 a.m.

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